

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
March 20, 1974

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. on Wednesday, March 20, 1974, in the City Hall Council Chambers.

ROLL CALL

Present: Councilmen - EHRHARDT, HUGHES,
KATNICH, SCHAFFER
(arrived 8:20 p.m.) and
PINKERTON (Mayor)

Absent: Councilmen - None

Also present: City Manager Henry Graves,
Assistant City Manager Jerry Glenn, City Attorney
Robert Mullen, Planning Director Jim Schroeder,
and Public Works Director Shelley Jones.

INVOCATION

The invocation was given by Councilman Ehrhardt.

PLEDGE

Mayor Pinkerton led the Pledge of Allegiance to the flag.

MINUTES

On motion of Councilman Katnich, Ehrhardt second, the minutes of March 6, 1974, were approved as written and mailed.

On motion of Councilman Ehrhardt, Katnich second, the minutes of March 12, 1974, were approved as written and mailed.

UNITED WAY
PLAQUE
PRESENTATION

Dr. C. Robert Breckenridge presented to Mayor Pinkerton the United Way President's Trophy for the community with the top percentage increase in the United Way annual drive. Dr. Breckenridge explained this is a roving trophy and that it will be displayed six months by the City and then be given to the Chamber of Commerce for display.

PUBLIC HEARINGS

PREZONE FROM
I-PA TO M-2

ORD. NO. 1023
INTRODUCED

Notice thereof having been published in accordance with law and affidavit of publication being on file in the office of the City Clerk, the Mayor called for the public hearing to consider the request of Mr. L. James Weeks on behalf of Foster Manufacturing Company to prezone an approximately 9.5 acre parcel on the south side of East Pine Street, 330 feet east of Cluff Ave. (i.e., Lot 10, Live Oak Colony No. 3) from the I-PA, Interim-Protective Agricultural District (County Designation) to the M-2 Heavy Industrial District (City Designation).

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Planning Director Jim Schroeder presented a drawing of the area proposed for prezoning and discussed the proposal.

Mr. Jim Weeks of the Foster Manufacturing Co., 214 S. Cluff Ave., Lodi, spoke in favor of the prezoning.

There being no other persons in the audience wishing to speak on the matter, the public portion of the hearing was closed.

After Council discussion, Councilman Katnich moved the introduction of Ordinance No. 1023 prezoning an approximately 9.5 acre parcel on the south side of East Pine Street, 330 feet east of Cluff Avenue (i.e., Lot 10, Live Oak Colony No. 3) from the I-PA, Interim-Protective Agricultural District (County Designation) to the M-2 Heavy Industrial District (City Designation). The motion was seconded by Councilman Hughes and carried.

ZONING ORDINANCE
AND GENERAL
PLAN TO BE
CONSISTENT

Notice thereof having been published in accordance with law and affidavit of publication being on file in the office of the City Clerk, Mayor Pinkerton called for the public hearing on the recommendation of the City Planning to make the Zoning Ordinance and the General Plan consistent.

After considerable discussion, Councilman Hughes moved that the Public Hearing on the City Planning Commission's recommendation to make the Zoning Ordinance and the General Plan consistent be continued at the April 3, 1974, regular council meeting. The motion was seconded by Councilman Schaffer and carried.

PREZONE FROM
I-PA TO C-2

ORD. NO. 1024
INTRODUCED

Notice thereof having been published in accordance with law and affidavit of publication being on file in the office of the City Clerk, the Mayor called for the public hearing on the recommendation of the City Planning Commission to prezone the area bounded by the City limits on the north; the U.S. 50-99 Freeway on the east; and South Cherokee Lane on the west from I-PA, Interim-Protective Agricultural District (County Designation) to the C-2, General Commercial District (City Designation). Planning Director Schroeder presented a drawing of the area proposed for prezoning and discussed the proposal.

There being no one in the audience wishing to speak either in favor or in opposition to the proposal, the public portion of the hearing was closed.

Councilman Ehrhardt then moved introduction of Ordinance 1024 prezoning the area bounded by the

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City limits on the north; the U.S. 50-99 Freeway on the east; and South Cherokee Lane on the west from the I-PA, Interim-Protective Agricultural District (County Designation) to the C-2 General Commercial District (City Designation). The motion was seconded by Councilman Katnich and carried.

PEACH STREET
SANITARY SEWER
ASSESSMENT
DISTRICT

Notice thereof having been published and posted in accordance with law and affidavits of publication being on file in the office of the City Clerk, Mayor Pinkerton called for hearing on the proposed formation of the Peach Street Sanitary Sewer Assessment District.

Speaking in favor of the proposed formation of the Peach Street Sanitary Sewer Assessment District were:

Mr. J. J. Freeman, 711 Peach Street, Lodi

Mrs. Claude Lewis, 2033 Cochran Road, Lodi

There being no other persons in the audience wishing to be heard on the matter, the public portion of the hearing was closed.

RES. NO. 3894
OVERRULING
PROTESTS

Councilman Katnich moved adoption of Res. 3894 overruling protests on the Peach Street Sanitary Sewer Assessment District. The motion was seconded by Councilman Schaffer and carried.

RES. NO. 3895
ADOPTING SCALE
OF PREVAILING
WAGE

Councilman Schaffer moved adoption of Res. 3895 adopting the scale of prevailing wage rates. The motion was seconded by Councilman Katnich and carried.

RES. NO. 3896
ORDERING WORK
PEACH ST. S.S.A.
DISTRICT

On motion of Councilman Ehrhardt, Schaffer second, the Council adopted Resolution 3896 ordering the work to be done on the Peach Street Sanitary Sewer Assessment District.

RES. NO. 3897
DIRECTING
ASSESSMENT TO
BE PREPARED

Councilman Schaffer then moved adoption of Res. 3897 directing the assessment be prepared on the Peach Street Sanitary Sewer Assessment District. The motion was seconded by Councilman Hughes and carried.

WILLOW AVE.
SANITARY SEWER
ASSESSMENT
DISTRICT

Notice thereof having been published and posted in accordance with law, and affidavits of publication being on file in the office of the City Clerk, Mayor Pinkerton called for the hearing on the proposed formation of the Willow Ave. Sanitary Sewer Assessment District.

Mr. James W. Taylor, 711 Willow Avenue, Lodi, stated that when the petition for the formation of the Willow Ave. Sanitary Sewer Assessment District was drawn up, the property owners had

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agreed the assessment should be based on a straight front footage basis, and he had indicated this at the top of the petition prior to its circulation.

City Attorney Mullen asked Mr. Taylor if in fact the notation stating "a straight line on Willow and all paying the same amt." was in his handwriting and was it written on the petition prior to its circulation. Mr. Taylor indicated in the affirmative. The City Attorney stated that it would be in order to prepare the assessment as the property owners desired. Mr. Eddie Wisner, 717 Willow Street, stated he wished to verify Mr. Taylor's statements.

Chas. Battaglia, 701 W. Willow Ave., stated he was in favor of the assessment district, but that he intended to purchase the property between his lot and Tokay Street and would want sewer hook-up from Tokay Street at that time. It was determined that Mr. Battaglia would be a part of this sanitary sewer assessment district and would be assessed accordingly.

There being no other persons in the audience wishing to be heard on the matter, the public portion of the hearing was closed.

RES. NO. 3898
OVERRULING
PROTESTS

Councilman Schaffer moved adoption of Res. 3898 overruling protests on the Willow Ave. Sanitary Sewer Assessment District. The motion was seconded by Councilman Katnich and carried.

RES. NO. 3899
ADOPTING SCALE
OF PREVAILING
WAGE

Councilman Katnich moved adoption of Res. 3899 adopting the scale of prevailing wage rates. The motion was seconded by Councilman Schaffer and carried.

RES. NO. 3900
ORDERING WORK
WILLOW AVE.
S.S.A. DISTRICT

On motion of Councilman Katnich, Ehrhardt second, the Council adopted Res. 3900 ordering the work on the Willow Avenue Sanitary Sewer Assessment District.

RES. NO. 3901
DIRECTING
ASSESSMENT TO
BE PREPARED
WILLOW AVE SSA
DISTRICT

Councilman Ehrhardt then moved adoption of Resolution 3901 directing the assessment be prepared for the Willow Avenue Sanitary Sewer Assessment District. The motion was seconded by Councilman Katnich and carried.

PLANNING COMMISSION

The City Manager gave the following report of the Planning Commission meeting of March 11, 1974.

RECOMMEND
PURCHASE OF
HINES PROPERTY

1. Recommended that 27 acres at the southeast corner of Lower Sacramento Road and the future extension of Century Boulevard be purchased from the Estate of Lloyd Hines as the site for Park-Storm Drainage Basin G South.

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RECOMMEND
REZONING
FROM P-D(5)
TO R-GA

2. Recommended the approval of the request of Rev. Oscar Gross for the rezoning of Parcel 5 as shown on the former Tentative Map of the Rivergate Mokelumne Subdivision from a portion of Planned Development District No. 5 (P-D(5)) to R-GA, Garden Apartment Residential District.

On motion of Councilman Katnich, Schaffer second, that matter was set for public hearing on April 3, 1974.

ACTIONS OF
INTEREST

The Planning Commission also took the following actions of interest to the City Council.

1. Certified the Final Environmental Impact for the acquisition of Park-Storm Drainage Basin G-South proposed for a 27-acre site at the southeast corner of Lower Sacramento Road and the future extension of Century Boulevard.
2. Approved the request of Mr. Don Webb for a Variance to reduce the required exterior side yard from 5 feet to 3 feet to permit the connection of a detached accessory building to the main structure at 1129 South Church Street in an area zoned R-2, Single-Family Residential.

COMMUNICATIONS

REZONING AT S.W.
CORNER OF HAM
LANE AND LODI
AVENUE

The City Clerk reported that there had been filed with her a petition containing 103 signatures of property owners who live within a radius of 300 feet of the proposed development known as "Vintage Greens," corner of Lodi Avenue and Ham Lane, opposing that development.

A letter was received from Gerri Lipkau, 512 Connie Street, Lodi, expressing her disapproval of the proposed Vintage Greens subdivision.

CLAIM
ERMINIO URIAS

A claim was presented on behalf of Erminio Urias in the amount of \$100,000. On motion of Councilman Ehrhardt, Councilman Katnich second, the Council rejected the claim and referred it to the City's agent of record.

INCREASED
CABLE T.V. RATES

A letter was received from George Bothman, 838 S. Garfield Street, Lodi, protesting the proposed increase in cable T.V. aerial rates. Mr. Bothman feels these additional charges would discriminate against those living on a fixed income.

PUC INTERIM
ORDER
GREYHOUND
LINES - WEST

An interim order has been received from the Public Utilities Commission of the State of Calif. partially granting a motion for a temporary emergency fuel cost surcharge supplement of 1.36% to Greyhound Lines - West on their application 54569 filed 1/11/74.

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P.U.C.
HEARING
P.G.&E.

Notice has been received that the Public Utilities Commission of the State of California has set the hearing for Pacific Gas and Electric Co. application Nos. 54616, 54617, and 54618 to revise its gas service tariff to offset the effect of increases in the price of gas from California sources on Monday, April 15, 1974, at 350 McAllister Street, San Francisco, California at 10:00 A.M.

P.U.C.
HEARING -
GREYHOUND
LINES, INC. WEST
DIVISION

Notice has been received that the Public Utilities Commission of the State of California has set the hearing for Greyhound Lines, Inc. - West Division applications No. 54653 and 54569 for a statewide increase in intrastate passenger fares and express rates on Tuesday, April 9, 1974, at 10:00 A.M. at 350 McAllister Street, San Francisco, California.

ABC LICENSES

Applications for alcoholic beverage license were received as follows:

1. Jose Ramirez Tapia, El Nuevo Guadalupe, 121 N. Sacramento St., Lodi - On sale beer and wine, public premise, new license.
2. Kenneth R. Douglas, Ken's Phillips 66, 1216 Turner Road, Lodi - Off sale beer and wine - new license.

COMMUNITY
ACTION
COUNCIL

A letter was received from the Community Action Council requesting local government to pass a resolution favoring an extension of the Economic Opportunity Act of 1964, as amended, and thereby providing continued federal support to CAC through fiscal year 1975.

BICENTENNIAL
COMMITTEE

Mayor Pinkerton reported that plans are underway for the formation of a Bicentennial Committee in Lodi and expressed his desire to involve representatives of major segments of the City, such as the Chamber of Commerce, industry, agriculture, various service clubs, historical clubs, veteran groups, churches, etc. in Lodi. Persons interested in being involved in this committee were invited to contact the Mayor.

AGAPE FORCE

Councilman Ehrhardt reported that a group of young people from Sebastopol known as "Agape Force" are soliciting Lodi residents with the sale of books and records. Councilman Ehrhardt urged Lodi residents to support "our" local groups.

FIRE DEPT.
COMMENDED

Mayor Pinkerton commended the Fire Department for their outstanding job at the high school fire.

REPORTS OF THE CITY MANAGER

CLAIMS

Claims in the amount of \$445,907.77 were approved on motion of Councilman Ehrhardt, Hughes second.

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CABLE TV
RATE INCREASE

RES. NO. 3902

The City Council on motion of Councilman Ehrhardt, Hughes second, adopted Resolution No. 3902 granting a Lodi Cable TV rate increase of thirty (30) cents per month for aerial subscriptions.

PARK STREET
STREET LIGHT
DISTRICT

The City Manager reported that the following bids had been received for the installation of street lights in the Park Street Street Light District:

Graffigna Electric	\$5,692
Collins Electric Co.	6,222
Smith Electric Supply	8,245
R. Flatland Co.	21,365

The engineers estimated cost for this project was \$4,727, and the low bid is 20.4% over this figure.

On motion of Councilman Ehrhardt, Hughes second, the City Council continued the awarding of the bid for street lights in the Park Street Street Light District until 8:00 P.M. Wednesday, April 3, 1974, and set a Public Hearing at that time to consider the comments of affected property owners.

AWARD - CITY
HALL REMODEL
PROJECT NO. 3

RES. 3904

The City Manager presented bids received for City Hall Remodeling Project No. 3 as follows:

Penrose Construction Co.	\$41,749.00
V. L. Gavel Construction, Inc.	42,072.00
L. A. Molfino	43,612.00

The City Manager recommended that the award be made to the low bidder for the amount of the bid.

On motion of Councilman Hughes, Schaffer second, the Council adopted Resolution 3904 awarding the contract for City Hall Remodeling Project No. 3 to Penrose Construction Co. for the amount of the bid.

RIGHT-OF-WAY
ACQUISITION
LODI AVE.
CHRIS &
LA VETA KESZLER

The City Manager recommended that the City Council approve the right-of-way agreement between Chris R. and La Veta Keszler and the City, which property is necessary for the Lodi Avenue widening and is located at the southwest corner of Lodi Ave. & Crescent Avenue at a sum of \$3100.

On motion of Councilman Katnich, Schaffer second, the Council approved the right-of-way agreement between Chris R. and La Veta Keszler and the City of Lodi and authorized the City Manager to sign on behalf of the City.

RIGHT-OF-WAY
ACQUISITION
LODI AVE.
JOHN & IRENE
KESZLER

The City Manager recommended that the City Council approve the right-of-way agreement between John and Irene Keszler and the City, which property is necessary for the Lodi Avenue widening and is located at the southeast corner of Lodi Ave. and Crescent Avenue at a sum of \$600.

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On motion of Councilman Ehrhardt, Katnich second, the Council approved the right-of-way agreement between John and Irene Keszler and the City of Lodi and authorized the City Manager to sign on behalf of the City.

CHERRY TREE
SUBDIVISION
FINAL MAP
APPROVED

The City Manager reported that the Cherry Tree Subdivision developer, H & M Builders, Inc., has completed all the requirements as specified by the Planning Commission in the approval of the tentative map on July 9, 1973.

On motion of Councilman Schaffer, Katnich second, the Council approved the Cherry Tree Subdivision final map, the improvement plans, and the improvement security and directed the City Manager to sign the subdivision and electrical utility agreements on behalf of the City.

"NO STANDING,
STOPPING OR
PARKING" IN FRONT
OF EL CHARRO

RES. NO. 3905

The City Manager reported that a problem has been created by prospective customers of the Douglas Oil Company station on Cherokee Lane parking in the street and completely blocking off driveways to the El Charro Restaurant. The City Manager further reported that the Chief of Police has requested that parking be prohibited in front of the El Charro immediately south of the Douglas Oil Co. station. After considerable discussion, on motion of Councilman Schaffer, Katnich second, the Council adopted Resolution 3905 prohibiting vehicular standing, stopping or parking on the east side of Cherokee Lane from 155 feet south of the centerline of Vine Street to 330 feet south of the centerline of Vine Street.

RECESS

The Mayor declared a five-minute recess and the Council reconvened at 10:10 P.M.

COUNCIL RE-
ORGANIZATION
DATE

ORD. NO. 1025
INTRODUCED

The City Manager presented an ordinance for Council adoption which would amend Sect. 2-6 of Chapter 2 of the Code of the City of Lodi, thereby amending the date for the reorganization of the City Council.

Councilman Hughes then moved introduction of Ordinance 1025 amending Sect. 2-6 of Chapter 2 of the Code of the City of Lodi, and thereby amending the date for the reorganization of the City Council. The motion was seconded by Councilman Katnich and carried.

WHITE SLOUGH
EXPANSION -
PROJECT REPORT

City Manager Graves presented the Council with the "Project Report for the construction of Water Pollution Control Facilities - 1974" as prepared by Yoder-Trotter-Orlab & Assoc., Engineering Consultants.

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Public Works Director Sheiley Jones then addressed the Council highlighting information contained within the report. Mr. Jones concluded his address by informing the Council that a consultant from the Engineering Consulting firm would be available to speak at a future shirtsleeve session and to answer questions put forth by the Council regarding the report.

CITY HALL
REMODELING
PROJECT 2 -
ACCEPTED

City Manager Graves stated that City Hall Remodeling Project 2 had been completed, and it would be in order to accept that project as complete.

The City Council on motion of Councilman Schaffer, Katnich second, accepted the work performed under "City Hall Remodel, Project 2." and authorized the Public Works Director to file a Notice of Completion on behalf of the City.

CONSULTANTS
TO DEVELOP
EDP REQUIREMENTS

The City Manager reported that the City has for some time been trying to develop some expertise of data processing requirements for the City. The City presently has no one on its staff with knowledge of this type. City Manager Graves then presented to the Council a proposal presented by Main Lafrentz and Co. to review the City's current EDP reports and internal City management systems, at a maximum cost of \$4900 through Phase III.

On motion of Councilman Katnich, Schaffer second, the Council authorized the retaining of Main Lafrentz and Co. to develop electronic data processing requirements for the City of Lodi.

APPLICATION
FOR CCCJ
GRANT

RES. NO. 3906

City Manager Graves presented an application for grant funds under the Omnibus Crime Control and Safe Streets Act of 1968 to undertake a study for the Police Department entitled, "Information Needs Formatted Organizationally" and recommended approval of the application.

Police Chief Yates explained that the proposed project is to provide the staff, equipment, and data processing support for an experimental effort to develop and implement concise computer print-outs, displays, summaries and other information-conveying devices which fulfill the information needs of the various levels of the Police Dept., and to institutionalize their use.

On motion of Councilman Hughes, Ehrhardt second, the Council adopted Resolution 3906 authorizing the City Manager to submit the application for grant funds for the "Information Needs Formatted Organizationally" Project to the California Council on Criminal Justice and to execute on behalf of the City of Lodi the Grant Award Contract.

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PROPOSED
COG 1974-75
BUDGET

The City Manager presented to the Council the proposed 1974-75 San Joaquin County Council of Government's budget. This budget is submitted to the Council in conformity with the provisions of the Joint Powers Agreement under which the COG was formed.

After Council discussion and review, on motion of Councilman Hughes, Ehrhardt second, the Council ratified the proposed 1974-75 San Joaquin County Council of Governments Budget.

ACQUISITION -
LLOYD EMDE
HINES ESTATE
27-ACRE PARCEL

The City Manager reported that a letter had been received from the Bank of Stockton advising that the Estate of Lloyd Emde Hines was willing to accept the City's offer of \$94,500 for the 27-acre parcel at the southeast corner of Lower Sacramento Road and the future extension of Century Boulevard as a site for Park-Storm Drainage Basin G South.

On motion of Councilman Ehrhardt, Schaffer second, the Council authorized the City Manager to negotiate for the acquisition of the Lloyd Emde Hines Estate 27-acre parcel for a sum of \$94,500.

VAUGHAN
LIBRARY SITE
PROPERTY

City Manager Graves reported George and Bernice Vaughan had agreed to accept the Library Board's proposal of \$26,000 for the property located at the corner of Locust and Pleasant as a part of the library site.

On motion of Councilman Hughes, Ehrhardt second, the Council voted to accept the compromise offer of \$26,000 for the Vaughan library site property.

ORDINANCES

REZONE R-1 TO
P-D 11

ORD. NO. 1022
ADOPTED

ORDINANCE NO. 1022, entitled, "AN ORDINANCE AMENDING THE OFFICIAL DISTRICT MAP OF THE CITY OF LODI AND THEREBY REZONING AN APPROXIMATE 47-ACRE PARCEL LOCATED AT THE SOUTHWEST CORNER OF SOUTH HAM LANE AND WEST LODI AVENUE FROM R-1 TO P-D (11), PLANNED DEVELOPMENT DISTRICT NO. 11" having been introduced at a regular meeting on March 6, 1974, was brought up for passage on the motion of Councilman Hughes, Ehrhardt second. Second reading was omitted after reading by title, and the ordinance was then passed, adopted and ordered to print by the following vote:

Ayes: Councilmen - EHRHARDT, HUGHES
and PINKERTON

Noes: Councilmen - KATNICH

Abstain: Councilmen - SCHAFFER

Absent: Councilmen - None

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PLANNING
COMMISSION
VACANCIES

Mayor Pinkerton announced that there would be two Planning Commission member openings in June and invited those persons interested in serving on the Planning Commission to send in a resumé and the reasons for their interest in becoming a member of the Planning Commission.

INTRODUCTION

Public Works Director Shelley Jones introduced Kristen Kristensen, recently hired Administrative Assistant for the Public Works Department.

ADJOURNMENT

There being no further business, the meeting was adjourned at approximately 11:35 P.M. on motion of Councilman Katnich, Ehrhardt second.

Attest: *Alice M. Reimche*
ALICE M. REIMCHE
City Clerk